

Senate Bill No. 695

Passed the Senate August 29, 2005

Secretary of the Senate

Passed the Assembly August 22, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 10265 to the Public Resources Code, relating to resource conservation.

LEGISLATIVE COUNSEL'S DIGEST

SB 695, Kehoe. Conservation easement registry.

Existing law authorizes various agencies to acquire land for purposes related to conservation. Existing law specifies certain requirements and procedures for the acquisition of conservation lands.

This bill would require the Secretary of the Resources Agency to establish a central public registry of all conservation easements, as defined, all open-space easements, as defined, and all agricultural conservation easements, as defined, held or required by the state or purchased with state grant funds on or after January 1, 2000, provided by any agency, department, or division of the state. The bill would provide that the registry shall be accessible for use by the general public. The bill would require the registry to include, and the secretary to provide on the Internet, information on these conservation, open-space, and agricultural conservation easements, as specified.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Conservation easements and agricultural conservation easements are a valuable tool and a cost-effective way to protect the state's natural resources.

(b) It is important to ensure that the public has information on how moneys are spent by state agencies when purchasing easements for the preservation and protection of critically needed conservation and agricultural lands.

(c) Information regarding easements should be disseminated in a readily and easily available manner.

(d) A central public registry of conservation easements, open-space easements, and agricultural conservation easements would provide information that would lead to better conservation

and resource planning among state agencies, local governments, nonprofit organizations, and the public.

SEC. 2 Section 10265 is added to the Public Resources Code, to read:

10265. (a) The Secretary of the Resources Agency shall establish a central public registry of all conservation easements, held or required by the state or purchased with state grant funds on or after January 1, 2000, provided by any agency, department, or division of the state. In constructing the registry, the Resources Agency shall draw upon the Department of General Services' property inventory and other information held by a state agency, department, or division.

(b) For the purposes of this section, "conservation easement" means any limitation in a recorded instrument that contains an easement, restriction, covenant, condition, or offer to dedicate, that has been executed by or on behalf of the owner of the land subject to that limitation and is binding upon successive owners of the land, and the purpose of which is to retain land predominantly in its natural, scenic, historical, agricultural, forested, or open-space condition. "Conservation easement" includes a conservation easement as defined in Section 815.1 of the Civil Code, an open-space easement as defined in Section 51075 of the Government Code, and an agricultural conservation easement as defined in Section 10211.

(c) The registry shall be accessible for use by the general public and shall provide information on conservation easements, including open-space easements and agricultural conservation easements, as described in subdivision (b). The registry shall include a copy of the easement.

(d) The registry shall include, and the Secretary of the Resources Agency shall provide on the Internet all of the following information on each conservation easement, open-space easement, and agricultural conservation easement, listed in the registry:

- (1) The recordation number assigned by the county recorder.
- (2) The purpose of the easement.
- (3) The location of the easement, identified by county and nearest city.
- (4) The identity of the easement holder.
- (5) The size of the easement in acres.

(6) The amount in dollars, if any, of the state's contribution towards the easement transaction.

(7) The date the easement transaction was completed.

(e) On or before January 1, 2008, the Secretary of the Resources Agency shall make the registry accessible to the general public, and shall update it biannually.

Approved _____, 2005

Governor